

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$53,005.00 IN UNITED STATES  
CURRENCY,

Defendant.

8:21-CV-2

ORDER AND DECREE OF  
FORFEITURE

This matter is before the Court on the parties' Joint Motion for Judgment and Decree of Forfeiture ([filing 55](#)). The motion will be granted.

A Complaint for Forfeiture *In Rem* ([filing 1](#)) was filed on January 4, 2021 as to \$53,005 in United States Currency. A Warrant for Arrest *In Rem* ([filing 4](#)) was issued and properly served on the by the United States Marshals Service. *See filing 7*. Publication of the notice of this action and of the arrest of the defendant property was made pursuant to an order entered by the United States Magistrate Judge on December 3, [Filing 6](#). A claim was filed by claimant Jose Luis Pineda Torres on January 19, 2021 ([filing 12](#)) and an answer was filed the same day ([filing 10](#)) as to defendant property.

As directed by the Magistrate Judge's order ([filing 6](#)), a Notice of Forfeiture was posted beginning on January 8, 2021, on an official Internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), for at least 30 consecutive days, as required by [Supp. Admiralty and Maritime Claims R. G\(4\)\(a\)\(iii\)\(B\)](#). A declaration of publication ([filing 17](#)) was filed on March 21, and from a review of the Court file the Court finds no claims have been made other than that of the claimant, Jose Luis Pineda Torres.

The government and the claimant have stipulated ([filing 55-1](#)) that \$31,803 of the defendant property shall be forfeited to the government, and \$21,202 shall be returned to the claimant. On those terms, the parties' Joint Motion for Judgment and Decree of Forfeiture ([filing 55](#)) will be granted.

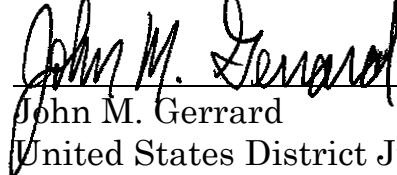
IT IS ORDERED:

1. The Motion for Judgment and Decree of Forfeiture ([filing 55](#)) is granted.
2. \$21,202 of the defendant property shall be released to the claimant, Jose Luis Pineda Torres.
3. Counsel for the claimant is directed to provide, to the Office of the United States Attorney for the District of Nebraska, any information necessary for the transfer of funds to the claimant's attorney, and to file a receipt of funds after receipt of the \$21,202.
4. The Lancaster County Sheriff's Office shall release all personal property seized from the claimant to his counsel or to Special Agent Andrew Vincik for delivery to the claimant's counsel.
5. All right, title, or interest in or to the remaining \$31,803 held by any person or entity are forever barred and foreclosed.
6. The remaining \$31,803 is forfeited to the plaintiff and shall be disposed of by the plaintiff in accordance with law.

7. When the claimant's receipt of funds is filed, the parties shall file a joint stipulation for dismissal, or other dispositive stipulation, which will fully dispose of the case.
8. The Clerk of the Court shall set a dismissal papers deadline for July 18, 2022.

Dated this 16th day of June, 2022.

BY THE COURT:



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John M. Gerrard  
United States District Judge